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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,368	02/15/2001	Fred S. Cook	1471	2955

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EXAMINER

MCCLELLAN, JAMES S

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 01/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/784,368

Applicant(s)

COOK, FRED S.

Examiner

James S McClellan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Amendment and Request for Reconsideration*

1. Applicant's submittal of an amendment was entered on 11/18/03, wherein:  
claims 1-22 are pending.

It is noted that the specification has been amended. All claims remain as originally filed.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 10-17, 21, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,000,608 (Dorf).

Regarding **claim 1**, Dorf discloses a method of registering a product using a code processing system (see column 3, lines 9-27), the method comprising: in a point of sale system (POS 105; see column 4, line 28), obtaining a communication code that is associated with the product and transmitting the communication code; and in the code processing system (Processing Hub 103; see column 4, line 22), receiving the communication code (see column 3, lines 12-13), processing the communication code to determine manufacturer information for the product (see column 7, lines 7-10), generating a product registration request (see column 7, lines 11-13), transmitting the product registration request to a manufacturer registration system based on the manufacturer information for registration of the product (see column 7, lines 11-13), generating a

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communication code activation request responsive to receiving the communication code, and transmitting the communication code activation request and the communication code to a communication code activation system for activation of the communication code (see column 7, lines 21-28); **[claim 2]** the communication code comprises a phone card code (see column 4, line 21); **[claim 3]** the communication code comprises a pre-paid phone card code (see column 4, line 21); **[claim 4]** the product is packaged with a pre-paid phone card that includes the pre-paid phone card code (see column 4, line 21); **[claim 5]** in the code processing system, receiving a charge authorization request and a financial card number from the point of sale system, transmitting the charge authorization request and the financial card number to a financial network, receiving an authorization response from the financial network, and transmitting the authorization response to the point of sale system (POS 105 inherently includes credit card processing/authorization features through bank 102); **[claim 6]** the financial network comprises a credit card system (POS 105 inherently includes credit card processing/authorization features through bank 102); **[claim 10]** the code processing system comprises a database that includes the manufacturer information (see column 7, lines 3-5); **[claim 11]** the code processing system communicates with the point of sale system, the manufacturer registration system, and the communication code activation system over a Public Switched Telephone Network (see column 6, lines 61-63).

Regarding **claims 12-22**, the Examiner relies on the detailed description set forth above for similar claims 1-11 to reject claims 12-22 in order not to burden the Office Action with a redundant claim mapping analysis.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7-9, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorf in view of US Patent Publication No. US 2001/0025245 A1 (Flickinger et al.).

Regarding **claims 7-9 and 18-20**, Dorf disclose each of the limitations as set forth above, but fails to explicitly disclose generating the product registration request comprises generating a warranty activation request to activate a warranty on the product with a manufacturer; in the code processing system, receiving a warranty activation response from the manufacturer registration system identifying if the warranty is activated; and in the point of sale system, receiving the warranty activation response from the code processing system and printing a warranty activation certificate based on the warranty activation response.

Flickinger et al. teaches the use of generating the product registration request comprises generating a warranty activation request to activate a warranty on the product with a manufacturer; in the code processing system, receiving a warranty activation response from the manufacturer registration system identifying if the warranty is activated; and in the point of sale system, receiving the warranty activation response from the code processing system and printing a warranty activation certificate based on the warranty activation response (see paragraph 0038 on page 4, "A registration verification or certificate (electronic or otherwise) could be provided to the purchaser confirming registration, warranty and other information").

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dorf with the warranty registration as taught by Flickinger et al., because automatic warranty registration increases the likelihood of product registration (see Flickinger et al., paragraph 0006 on page 1), whereby helping ensure that the consumer receives full warranty benefits and allowing the manufacturer to more efficiently gather marketing data.

### ***Response to Arguments***

6. Applicant's arguments filed November 18, 2003 have been fully considered but they are not persuasive.

On page 7, Applicant traverses the Examiner's rejection of claims 1-6, 10-17, 21, and 22 under 35 U.S.C. § 102 (b) as anticipated by Dorf. Applicant alleges that Dorf fails to disclose registering a product with a manufacturer as required by claim 12. More specifically, on page 8, Applicant argues that Dorf does not provide for both activation of the phone card with the issuer and registering the product (associated with the phone card) with the manufacturer of the product, as described in claim 12. The Examiner respectfully disagrees. In column 10, lines 48-64, Dorf discloses that the multifunction card may be used on the Internet by registering the card via a POS terminal. In addition, Dorf's system utilizes a multifunction card that allows phone card activation, electronic gift card registering, loyalty card tracking, and medical information gathering. Each electronic gift certificate includes an identification number and a means for activating and storing information related to the electronic gift certificate. The information is stored in a database (205) maintained at the processing hub (see paragraph bridging columns 7-8). *Merriam Webster's Collegiate Dictionary*, tenth edition defines register as "to make or

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secure official entry in a register”. Dorfs system makes and secures official entries in an EGC database (205) during the steps of activation, monitoring, and recharging of the electronic gift certificate.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jim McClellan whose telephone number is (703) 305-0212. The examiner can normally be reached on Monday-Friday from 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski, can be reached at (703) 308-5183.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

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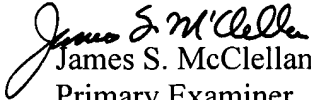
Any response to this action should be mailed to:

Commissioner of Patent and Trademarks  
Washington D.C. 20231

or faxed to:

(703) 872/9306 (Official communications) or  
(703) 746-3516 (Informal/Draft communications).

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,  
Arlington, VA, 7<sup>th</sup> floor receptionist.

  
James S. McClellan  
Primary Examiner  
A.U. 3627

jsm  
November 18, 2003